

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ROBERT NATHAN,	:	CIVIL ACTION
<i>Plaintiff</i>	:	
v.	:	
	:	
KILOLO KIJAKAZI,	:	
Acting Commissioner of the Social	:	
Security Administration,	:	NO. 19-2874
<i>Defendant</i>	:	

ORDER

AND NOW, this 21st day of August, 2023, upon consideration of the Commissioner's Motion to Dismiss (Doc. No. 8), Plaintiff's Answer thereto (Docket No. 18), and after review¹ of the Report and Recommendation of United States Magistrate Judge Carol Sandra Moore Wells (Doc. No. 21), it is hereby **ORDERED** that:

1. The Report and Recommendation (Doc. No. 21) is **APPROVED** and **ADOPTED**.
2. The Commissioner's Motion to Dismiss (Doc. No. 8) is **DENIED**.

BY THE COURT:



GENE E.K. PRATTER
UNITED STATES DISTRICT JUDGE

¹ No party filed objections to Magistrate Judge Wells's Report and Recommendation. "When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." Fed. R. Civ. P. 72(b), advisory committee notes; *see also Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir. 1987) (noting that "in the absence of objections, . . . the better practice is for the district court judge to afford some level of review to dispositive legal issues raised by the report" and recommendation). This Court has discretion to "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge," regardless of whether objections have been made. 28 U.S.C. § 636(b)(1). Upon review, the Court finds no clear error in the Report and Recommendation.